

REMARKS

Applicants respectfully request reconsideration and allowance in view of the foregoing amendment and the following remarks. Applicants amend claims 1, 25, 27 without prejudice or disclaimer. Applicants cancel the unelected claims 1-21, 23, and 24.

Election/Restriction

Applicants elect claims 1-4, 6-9, and 25-28 with traverse. Applicants traverse the restriction requirement and respectfully submit that these sets of claims are related. Applicants note that MPEP 806.06 provides two examples of unrelated inventions: a necktie and a locomotive bearing, and a process of painting a house and a process of boring a well. Applicants respectfully submit that claims 1 and 10, which are representative of their respective sets of claims, are much more related than a necktie and a locomotive bearing or painting a house and boring a well. Both claim 1 and claim 10 deal with automated verbal communications in the real estate domain, a very narrow field. The closely related fields of claims 1 and 10 are unlike the examples of unrelated inventions in widely differing inventive fields. Thus, Applicants submit that these claims are closely related to each other.

The term "independent" (i.e., unrelated) means that there is no disclosed relationship between the two or more inventions claimed, that is, they are unconnected in design, operation, and effect. MPEP 802.01.I. Applicants submit that claims 1 and 10 are connected in design, operation, and effect even if one requires an electronic calendar and the other does not. Claims 1 and 10 are connected in design and effect because each recites a voice services node, interpreting received verbal information, and performing some action based on the interpreted information. In the case of claim 1, the action is posting the listing data for access by real estate customers through at least one of a web page and a communications network. In the case of claim 10, the

action is automatically scheduling an appointment between the real estate customer and real estate seller that accommodates both calendars. Claims 1 and 10 are connected in operation because even though some of the details of how or what is recognized differs between the two inventions, a single verbal real estate interface could incorporate elements of both claims.

Further, Applicants submit that the additional search and examination burden would be minimal. The assigned Art Unit is 3629 for “DATA PROCESSING: FINANCIAL, BUSINESS PRACTICE, MANAGEMENT, OR COST/PRICE DETERMINATION.” Applicants submit that posting listing data for access by real estate customers as recited in claim 1 and automatically scheduling an appointment between the real estate customer and real estate seller as recited in claim 10 fall under the broad category of data processing: financial, business practice, and/or management and should therefore not present undue difficulty or work during examination. Accordingly, Applicants respectfully submit that these sets of claims are related and should not be subject to a restriction requirement.

Rejection of Claims 1-4, 6-9, and 25-28 Under 35 U.S.C. §102(b)

The Office Action rejects claims 1-4, 6-9, and 25-28 under 35 U.S.C. §102(b) as being anticipated by Wise et al. (U.S. Patent Publication No. 2004/0098269) (“Wise et al.”). Applicants traverse this rejection and submit that Wise et al. fails to teach or suggest all the limitations of claim 1. Applicants amend claim 1 to clarify the recited limitations, namely that the voice services node accommodates multiple verbal communication services simultaneously, and not for purposes of patentability. This amendment clarifies that the voice services node is provided a set of verbal questions over a voiced call. The specification provides support for this amendment at page 11, lines 4-12.

First, Applicants submit that Wise et al. do not teach or suggest providing a set of verbal questions to a real estate seller. The approach of Wise et al. is to interpret or recognize voice commands. Wise et al., paragraph [0101]; claims 15-16. The Office Action even cites a portion Wise et al. which says “where voice commands would be interpreted by the digital recording tool.” Office Action, page 5. This statement says that voice commands are interpreted, not provided. Further, the digital recording tool records, not provides, audio. Thus, Wise et al. do not teach providing verbal questions.

Second, Applicants submit that Wise et al. do not teach or suggest providing the set of verbal questions over a voiced call. According to Wise et al., real estate agents enter data with a digital recording tool such as a PDA. Wise et al., paragraph [0101]. Applicants submit that speaking into a PDA is not the same as placing a voiced call. The PDA records and stores the voice input in a database. Wise et al., paragraph [0101]. Applicants amend claim 1 to further distinguish between (1) speaking into a PDA which can accept only a single audio input and store recorded voice input locally and (2) providing input over a voiced call to a voice services node which accommodates multiple verbal communication services simultaneously. A modern PDA, let alone a PDA from 2002 when Wise et al. was filed, would not have the hardware (i.e. multiple audio inputs, sufficient processing power, etc.) to properly process and understand multiple verbal communications simultaneously, whereas a telephone-connected remote server, as a non-limiting example, could accept multiple distinct audio inputs from different calls and process them.

Applicants submit that for at least these reasons, claim 1 and its dependent claims are patentable over Wise et al. Inasmuch as Applicants similarly amend claims 25 and 27, Applicants submit that they and their independent claims are also patentable. Accordingly, Applicants respectfully request that this rejection be withdrawn.

CONCLUSION

Having addressed all rejections and objections, Applicants respectfully submit that the subject application is in condition for allowance and a Notice to that effect is earnestly solicited. If necessary, the Commissioner for Patents is authorized to charge or credit the **Novak, Druee & Quigg, LLP, Account No. 14-1437** for any deficiency or overpayment.

Respectfully submitted,

Date: September 30, 2009

By: 

Correspondence Address:

Thomas A. Restaino
Reg. No. 33,444
AT&T Corp.
Room 2A-207
One AT&T Way
Bedminster, NJ 07921

Thomas M. Isaacson

Attorney for Applicants
Reg. No. 44,166
Phone: 410-286-9405
Fax No.: 410-510-1433